United Nations A/HRC/39/NGO/166

General Assembly

Distr.: General
5 September 2018

English only

Human Rights Council
Thirty-ninth session
10-28 September 2018
Agenda item 4
Human rights situations that require the Council's attention

Written statement* submitted by the Conseil International pour le soutien à des procès équitables et aux Droits de l'Homme, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[31 August 2018]

* Issued as received, in the language(s) of submission only.

GE.18-14725(E)
1814725

Please recycle

"Stateless" People in Kuwait (Bidoon)

In a state known for its development, prosperity, democracy, and its attempt to meet the rights of its people, a serious social tragedy emerges. Kuwait deprives a segment of its people from citizenship and gives them the title of "Bidoon"; (Stateless).

"The Bidoon" or stateless people are a segment of the people that live in Kuwait but do not hold its citizenship, so they illegally reside on its territory. The number of this segment reaches 130.000 people, excluding those who were prevented to register in the State's records.

As the stateless people are deprived from having the citizenship, they miss the legal bond that links them with their state, the bond that allows them to have all their civil rights guaranteed under the constitution, and the State shall be held responsible to meet the requirements and needs of its citizens. For them, their mere birth among this segment is a crime, the burden of which they shall bear all their lives.

The state of Kuwait started its post- independence era with depriving the stateless people from their basic rights and the privileges that the ordinary citizen enjoys as provided by the state's constitution. The State argues that the "Bidoon" deliberately destroyed the evidence of their nationalities for the sake of obtaining the privileges granted by the state to its citizens. The government also alleges that the area of the country and the demographic distribution of the population as well as the political and economic conditions of the country do not allow it to provide large-scale naturalization in an attempt to grant citizenship according to a deliberate plans. For how long shall the state of Kuwait keep postponing in solving this humanitarian and social crisis, which has become a black mark in its human rights record? Issuing a decision to naturalize about 2000 or 4000 people each year will require 50 years to close the case, taking into account that the segment of the stateless people are not among the people who are being naturalized. Let alone the intentional political demographic change conducted by the government of Kuwait starting form 1991 embodied by admitting about 700.000 new citizens most of whom originally holding the Saudi nationality, and they were granted the Kuwaiti nationality in addition to the Saudi one.

As a result of the Kuwaiti government's procrastination in solving the case, the stateless people went out in peaceful demonstrations to demand their lawful rights provided for in the universal declaration of the human rights, which the state of Kuwait has ratified to adhere to. However, the security authorities confronted these demonstrations with repression using rubber bullets, tear gas, and arbitrary arrests in the name of the Kuwaiti law, which prevents non-Kuwaitis from participating in public gatherings, despite the claim made by the government that the "Bidoon" stateless people enjoy human rights equal to those of Kuwaiti citizens.

This segment of the population is being deprived from all civil rights such as extracting official documents, moving freely across the state, travelling, working, receiving education and medical treatment, and other rights due to the severe restrictions imposed on them by the state.

One of them said: "How can I be a citizen while being deprived from almost all my rights?" "I am a Kuwaiti with no Kuwaiti Rights".

Stateless people do not have the right to reside in Kuwait the capital and own a residence there. They reside in neglected neighborhoods on the outskirts of the state suffering from difficult living conditions. Moreover, being deprived from the right to have a job and receive a decent salary makes their dream to own a house in the city of Kuwait almost impossible.

The government of Kuwait practices the policy of systematic discrimination against its people by depriving them of their rights and violating article 29 of its constitution which provides that "All people are equal in human dignity, they are equal before the law in public rights and duties, and there should be no discrimination of any kind between them as to race, origin, language, or religion." The government also violates the United Nations Convention of 1954 related to stateless people that provides: "Stateless people shall be granted full human rights of the citizens such as work, movement, study, marriage ... etc. until they obtain citizenship."

In addition, Kuwait does not allow Kuwaiti women to pass the citizenship to their children. As a result, if a Kuwaiti woman gets married to a stateless person she gives birth to stateless children, which represents a blatant violation of Kuwait's international obligations and exacerbates the crisis of the stateless people.

The International Council Supporting Fair Trial & Human Rights again and again sheds light on the issue of the "Bidoon" stateless people in Kuwait as it is as an escalating human crisis and demands of the following:

- The Human Rights Council should hold an emergency meeting to discuss the case of "Bidoon" stateless people and help the State of Kuwait setting effective solutions to solve this problem, and shed light on the violations committed against the rights of the stateless people by the State of Kuwait.

- To form and set up specialized international committees to address this issue in order to avoid any pretext that might be made by the state of Kuwait to delay resolving this case, affirming the right of any citizen to obtain the citizenship.

- Until this problem is solved, the government of Kuwait shall be obligated to grant the stateless people passports, medical and educational care, and permanent resident permits by issuing an ID card for them. In addition, to issuing birth certificates, death certificates, driving licences and other civil rights to avoid the consequences of the systematic discrimination practiced against them in the coming days.

- The government of Kuwait shall amend the related laws in accordance with the constitution and international covenants in order to allow the Kuwaiti woman to pass the citizenship to her children.

The International Council Supporting Fair Trial & Human Rights (ICSFT) believes that it is shameful for a state like Kuwait, which has witnessed such development and openness, to be unable to develop effective solutions to the case of the "Bidoon" stateless people and continue dealing with it in a negative and racial manner to the point that it has become a black mark on its human rights record since sixty years.